REMARKS

Claims 1-5, 7, 8, 10-13, 16-35, 37, 38, 56-61, 69, 70 are pending in the application. Claims 1-5, 7, 8, 10-13, 16-20, 32-35, 37, 38, 40, 56-60 stand rejected under 35 U.S.C. 102(e); and claims 69, 70 and claims 21-30, 61 stand rejected under 35 U.S.C. 103(a).

Claim Amendments

The foregoing amendment clarifies the expression of the invention. Support for the amendment is found throughout the specification and in the claims as detailed below. Accordingly, no new matter has been added. New claim 76 focuses on features of the method and system for automated settlement contemplated by applicants' claimed invention, such as the receipt of the on-line debit message for the financial transaction by the shared central network from the interactive voice response system (Spec. p. 19, line 24-p. 21, line 2) and the simultaneous crediting of the transaction amount to the settlement account of the foreign branch bank and debiting the settlement account of the caller's home bank by the shared central network. (Spec. p. 22, line 6-p. 23, line 16).

Claim Rejections-35 U.S.C. 102(e)

Claims 1-5, 7, 8, 10-13, 16-20, 32-35, 37, 38, 40, 56-60 stand rejected under 35 USC 102(e) as anticipated by Jennings et al. (U.S. 5,794,218). The rejection is respectfully traversed and reconsideration is requested. The reference asserted does not read on the claimed invention.

Jennings et al. discloses a system and method for allowing telephone-based interactive performance of financial transactions in multiple languages. The system prompts the customer of a financial institution in various languages until the customer's language and home country are identified. The system then connects the customer telephonically with a representative who speaks the customer's language and who can authorize the transaction by accessing the customer's records. Authorization by the local representative and record keeping are also provided. (Jennings et al., Abstract)

A problem that Jennings et al. sought to address was the absence of a record for the customer on the local branch's computers, because the computer systems of the

different branches in different countries may not be directly or automatically linked, thereby preventing the local branch representative from accessing the customer's account with an on-line system. As further mentioned in Jennings et al., another problem with which Jennings et al. sought to deal was the inability of the branch representative to communicate with a customer who needed emergency cash, which would exacerbate the problem because the customer may be frustrated by the customer's apparent inability to obtain cash from a branch of the customer's bank, pointing up the importance of the ability to service a wide range of languages used by traveling customers is becoming more important for banks to compete on an international level. (Jennings et al., Col 1, line 60-Col 2, line 4)

Pre-Jennings et al. procedures included a list of persons with various language skills and their phone numbers. If the local branch representative could understand what the customer was trying to communicate, the branch representative took a guess at what languages the customer spoke, accessed the resource list to see who could speak the language, and then attempted to contact the translator locally. (Jennings et al., Col 2, lines 13-19). The branch representative might then have attempted to contact the customer's home bank, but there may not have been someone there who spoke the local branch representative's language. For example, if the local bank was in the U.S., and the customer was Japanese, it was problematic that there would be someone in the U.S. local bank who spoke Japanese. Moreover, if a German traveler had a problem and went to a Japanese branch, the transaction would usually be settled in English, which was not particularly convenient for the local Japanese branch representative, the customer, or the German home bank branch. (Jennings et al., Col 2, lines 20-31)

From the customer's point of view, under pre-Jennings et al. procedures, if support for resolving the customer's problem was not possible and timely, the customer may have felt that the bank's promise of global banking was hollow. In addition, in an emergency, the customer's ability to get to an affiliated branch may have entailed considerable effort in itself, thus potentially increasing the customer's dissatisfaction. Jennings et al., Col 2, lines 34-38) Further, the dispensing branch may have had difficulty getting reimbursed by the customer's home bank, because this was a manual procedure, and there was no centralized record keeping. The only existing records were

the facsimile messages sent back and forth, and if a facsimile message was lost, there was no audit trail. (Jennings et al., Col 2, lines 39-44). A final complication to the pre-Jennings et al. manual problem was the foreign exchange rate. For a U.S.-based multinational bank, the pre-Jennings et al. method required both the home bank branch representative and the local bank branch staff to perform manual calculations, first from the dispensing branch's currency to the U.S. dollar, then from the home bank branch currency to the U.S. dollar. This was time consuming and a source of errors. (Jennings et al., Col 2, lines 45-52)

An object of Jennings et al. was to overcome the shortcomings discussed above with an automated system and method to assist translation between the local branch representative, the customer, and the customer's home bank customer service representative and to enable the branch representative to effect the financial transaction through a single telephone call. (Jennings et al., Col 2, lines 55-61). Thus, Jennings et al. intended to assist traveling bank customers around the world with a tool that reduced language barriers by providing voice response in multiple languages, making service easier for both customers and staff. In addition, Jennings et al. sought to begin to automate transactions which were formerly manually processed and prone to error. (Jennings et al., Col 2, lines 62-67)

The Jennings et al. system utilizes a central Interactive Voice Response (IVR) computer system that can be called and used by any location having a touch tone telephone and the appropriate access codes, can identify a customer's language through a series of prompts, and if necessary, establish the country in which their home bank account is maintained. According to Jennings et al., the system can then offer a list of services to the customer and translate their request for local staff, connect them to their home bank or offer recorded or "fax-back" information services, as required. (Col 3, lines 1-10) The Jennings et al. system then "bridges" the two telephone calls, so that the customer service representative communicates directly with the customer, the customer service representative then identifies and validates the customer by asking the customer for some private information, and the service representative is requested by the system whether the customer service representative will authorize the financial transaction requested by the customer, such as an emergency cash advance. (Jennings et al., Col 3,

lines 29-36)

According to Jennings et al., the representative 12 places the call through a voice telephone 18 at the local branch location 14 to the financial transaction processing system 20. The system 20 includes a telephone based interactive voice response application designed to provide multiple language assisted translation to effect a customer's financial requests, such as an emergency case request. In response to the call, the system 20 then processes prompted responses from the representative 12 to verify the identity of the representative 12 and the location of the local branch location 14. The system 20 then requests the representative 12 to give the telephone 18 to the customer 16. (Jennings et al., Col 5, lines 40-51)

The Jennings et al. system 20 then places the representative 22 in direct telephonic contact with the customer 16. During this conversation, the representative 22 verifies the identity of the customer 16 by soliciting private information (e.g., mother's maiden name, social security number, etc.). Once the customer 16 is verified, the representative 22 then finds out what type of financial transaction the customer 16 requires. The representative 22 then informs the system 20 about the nature of the requested financial transaction. The system 20 then asks the representative 22 if, based upon the telephonic information from the customer 16 and the status of the account of the customer 16, the representative 22 will authorize the requested financial transaction, such as an emergency cash transaction amount. In generating this inquiry, the system 20 may access an exchange rate database 28. If the representative 22 authorizes the emergency cash transaction to the system 20, the system 20, in turn, prompts the representative 12 to seek the authorization of the representative 12. If the representative 12 also authorizes the financial transaction such as an emergency cash transaction: (1) the customer 16 is given cash from the local branch location 14; (2) the system 20 records the transaction information in the transaction log database 36; (3) the system 20 will send confirming facsimiles of the transaction with all pertinent information to the facsimile machine 38 in the local branch location 14 and the facsimile machine 40 in the representative's location 24, and further the facsimile log database 42 is updated; and (4) the system will generate a summary of transactions activity report 44 on a periodic basis (such as weekly). In this way the financial transaction is authorized and proper record keeping is achieved. A

more specific description of the interface between the system processor 20 and the local branch representative 12, the customer 16 and the representative 22 is shown in FIG. 2. (Jennings et al., Col 6, lines 1-33).

The Jennings et al. Financial Transaction Processing System (FIG. 1) is symbolically flow charted beginning with FIG. 3 in which the system logs errors at blocks 120, 118, 126, 140, and 146.

Fig. 5 of Jennings et al. shows the customer's language and home bank selection, if there have not been three reprompts of a customer in each supported language, the language choices are prompted again. After three reprompts, a no response during language selection error is recorded and the customer 16 is notified of the trouble, the system processor 20 hangs up all connections and reset, and loops back to block 102 and restarts its process. If a time out does not occur and a valid language key press was not entered, the process branches to block 220 and tests for a reprompt as previously documented. After a valid language selection, a system flag is set to record the language used to speak to the customer 16, and the customer 16 is prompted with a list of home bank countries and locations from which they are asked to select the one where they have an account. (Jennings et al., Col 10, lines 7-23).

A complication in performing a financial transaction with an automated, multilingual interactive-system is the handling of the debit and the settlement associated with the transaction which is not addressed by Jennings et al. Once the transaction is authorized and the customer receives the requested currency, the debit must be forwarded to the appropriate business, or issuer, and logged. Moreover, the transaction must be settled by, for example, transferring funds to complete the transaction from the issuer to the local acquirer. Manual forwarding, logging, and settling can give rise to several complications. For example, manual forwarding, logging, and settling can give rise to delay. As the foreign-exchange rate sometimes fluctuates a great deal, delay can impact the transaction. As another example, manual forwarding, logging, and settling can give rise to administrative errors, such as data-entry errors. As another example, manual forwarding, logging, and settling is costly,

in that it requires the use of trained employees, sometimes including employees with foreign-language skills, to administrate the process. (Spec. p. 1, line 27-p. 2, line10).

In order to overcome these disadvantages, according to the automated settlement system for an embodiment of applicant's claimed invention, after the approved amount is communicated to the currency-dispensing entity and an approval by the currency-dispensing entity is sent back to the home bank, the settlement is concluded in real time without delay, for example, by the receipt of an on-line debit message for the financial transaction by the shared central network from the interactive voice response system and the simultaneous crediting of the transaction amount to the settlement account of the foreign branch bank and debiting the settlement account of the caller's home bank by the shared central network. The above-noted aspects are not disclosed or suggested by the reference asserted against the claims of record. Specifically, the asserted reference fails to provide key features of the invention, and the claimed invention is patentably distinct from the cited reference.

A careful and thorough reading of Jennings et al. reveals that the entire focus of Jennings et al. is on carrying out a financial transaction using an automated, multilingual interactive-system and is entirely devoid of any mention of automated settlement according to applicants' claimed invention. For example, according to Jennings et al., the processor 20 confirms the transaction details by fax to both the local branch facsimile 38 and the customer representative facsimile 40. Pertinent data bases are also updated. Additional reports may be sent via facsimile to a telephone center associated with the local country. Further, weekly reports may be generated for business managers associated with the local country and home country to aid in record keeping and proper settlement of accounts. Jennings et al. does not teach features of the method and system for automated settlement contemplated by applicants' claimed invention, such as receiving the on-line debit message for the financial transaction by the shared central network from the interactive voice response system and simultaneously crediting the transaction amount to the settlement account of the foreign branch bank and debiting the settlement account of the caller's home bank by the shared central

network. The Jennings et al. patent does not read on the method and system for automated settlement contemplated by applicant's claimed invention.

Claim Rejections – 35 U.S.C. 103(a)

Claims 69, 70 stand rejected under 35 U.S.C. 103(a) over Jennings in view of Marcous et al. (U.S. 5,650,604), and claims 21-30, 61 stand rejected under 35 U.S.C. 103(a) over Jennings in view of the article "Electronic Evolution". The rejection is respectfully traversed and reconsideration is requested. The references asserted do not teach or suggest the claimed invention. Specifically, the asserted references fail to provide key features of the invention, and the claimed invention is patentably distinct from the cited references.

Marcous et al. discloses a system and method for fully automated electronic transfer of cash or cash equivalent between a sender and a recipient, including an initiating terminal for receiving a designation of an amount of money to be electronically transferred, an account from which it is to be transferred, and a security code from the sender, a central terminal for storing the amount and the security code in a file in the central terminal, and a dispensing terminal for receiving from the recipient an entry corresponding to the designated amount of money to be transferred and the security code, for providing the entered amount of money and security code to the central terminal for comparison with the information stored in the central terminal's file, and for dispensing to the recipient funds equivalent to the designated amount of money without requiring the recipient to have a card to activate the dispensing terminal. (Marcous et al., Abstract)

According to Marcous et al., a pseudo-terminal 140 can be accessed from any number of networks with their own initiating and dispensing terminals, and because of this open design, an ATM on one network, can transfer money to an ATM on a different network, or a PC initiating terminal 115 can transfer money to an ATM on a different network, etc. Further, any number of networks 130, including regional and national networks, can be linked in a variety of arrangements to access pseudo-terminal 140, thereby permitting unrelated institutions to interact and share resources. In addition, the various networks 130 can be networks international to the location of pseudo-terminal 140, and this feature allows a sender to place money in their

relatives' hands in a matter of moments even if they are traveling or working in other countries. (Marcous et al., Col 10, lines 7-23). A careful and thorough reading of Marcous et al. reveals that Marcous et al. has nothing to do with the method and system for automated settlement contemplated by applicants' claimed invention, such as receiving the on-line debit message for the financial transaction by the shared central network from the interactive voice response system and simultaneously crediting the transaction amount to the settlement account of the foreign branch bank and debiting the settlement account of the caller's home bank by the shared central network.

The article "Electronic Evolution" cited by the Examiner merely mentions new rapidly emerging applications and delivery channels such as the increased use of IVR systems for providing telephone banking services such as balance inquiries, bill payments and transfers between accounts. (Electronic Evolution, p. 7) Likewise, a careful and thorough reading of "Electronic Evolution" reveals that the article has nothing to do with the method and system for automated settlement contemplated by applicants' claimed invention, such as receiving the on-line debit message for the financial transaction by the shared central network from the interactive voice response system and simultaneously crediting the transaction amount to the settlement account of the foreign branch bank and debiting the settlement account of the caller's home bank by the shared central network. The claimed combinations are not taught or suggested by Jennings et al. in view of Marcous et al., or Jennings et al. in view of the article "Electronic Evolution" either separately or in combination with one another.

Version With Markings to Show Changes Made

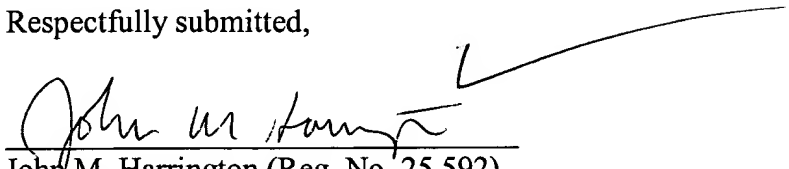
Amendments in the Claims:

In accordance with 37 CFR § 1.121(c)(1)(ii), a marked up version does not have to be supplied for an added or deleted claim.

Conclusion

In view of the foregoing amendment and these remarks, each of the claims remaining in the application is in condition for immediate allowance. Accordingly, the Examiner is requested to reconsider and withdraw the rejection and to pass the application to issue. The Examiner is respectfully invited to telephone the undersigned at (336) 607-7318 to discuss any questions relating to the application.

Respectfully submitted,



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